



Headquarters
Washington, DC 20546-0001

September 3, 2019

Reply to att'n of: Office of Communications

Shafaq Patel
77869-60626819@requests.muckrock.com

Re: FOIA Tracking Number: 19-JSC-F-00658

Dear Ms. Patel:

This acknowledges receipt of your request to the National Aeronautics and Space Administration (NASA), dated July 24, 2019 and received in this office on July 25, 2019. You seek:

1) CONTRACT

Please provide the contract NASA has with the Space/Astronaut Ice cream. Please include the original one that was developed for early Apollo Space missions as well as any amendments, updates, procurement documents.

2) INVOICES

Please provide how much space/Astronaut Ice cream NASA purchases and sells from Jan. 1, 2016 to present day.

3) FOOD

Documents that list the food that astronauts have taken to space since Jan. 1, 2016.

4) SPECIFICATIONS

Please also include the most recent copy of the NASA's specifications for ice cream and other desserts.

For item 1 of your request, these records if permanent would have been transferred to the National Archives if they were considered permanent records. Currently, NASA does not procure freeze dried ice cream for consumption in outer space. Occasionally, commercially produced ice cream has been taken into outer space for Shuttle missions and has also been brought onboard the International Space Station. NASA is providing links to 3 articles which describe the history of ice cream and other freeze dried food items predating the Shuttle era. (<https://ntrs.nasa.gov/archive/nasa/casi.ntrs.nasa.gov/20020080087.pdf>)(<https://ntrs.nasa.gov/archive/nasa/casi.ntrs.nasa.gov/19700021622.pdf>)(<https://www.orlandosentinel.com/news/os-xpm-1989-06-20-8906200094-story.html>)

For item 2 of your request, we are reaching out to procurement staff to see if there are invoices for ice cream sent into space as described above, as well as freeze dried ice cream which NASA may purchase and sell as a novelty in its gift shops.

For item 3 of your request, NASA can compile records as described.

For item 4 of your request, NASA will be able to respond sooner to this item of this request if you agree to have NASA only produce a list which details the deserts and their ingredients without the specifications for concocting these foods. NASA is making this suggestion since these specifications have been developed through the use of intellectual property in which individual researchers, rather than NASA, own the intellectual rights to. In order to provide the specifications, NASA would need to review these documents very closely to determine what portions of the specifications must be withheld under Exemption 4.

This request does not address fees as required by NASA regulation 14 C.F.R. § 1206.302(a). Pursuant to that regulation, before we can begin work on your request you must explicitly state a willingness to pay all fees associated with processing the request, provide an amount up to which you are willing to pay, or request a fee waiver following the provisions set forth in 14 C.F.R. § 1206.506. Based the information included in your request, NASA has placed this request into its all others fee category. Requesters in this category are entitled to 2 hours of search time, all document review time, and the duplication of the first 100 pages. According to NASA's FOIA regulations, in order to have a request placed into the news media fee category a requester must demonstrate the following

- (A) The requester's intended dissemination,
- (B) Whether the information is current news and/or of public interest, and
- (C) Whether the information sought will shed new light on agency statutory operations.

This request has been placed on hold pending receipt of the above-referenced information. Please submit the required information within 20 days of the date of this letter. If we do not receive the additional information within that time frame, we will assume you are no longer interested in the requested records and close your request accordingly.

If you believe this to be an adverse determination on your request, you have the right to appeal. Your appeal must be received within 90 days of the date of this response. Please send your appeal to:

Administrator
NASA Headquarters
Executive Secretariat
ATTN: FOIA Appeals
MS 9R17
300 E Street S.W.
Washington, DC 2054

Both the envelope and letter of appeal should be clearly marked, "Appeal under the Freedom of Information Act." You must also include a copy of your initial request, the adverse determination, and any other correspondence with the FOIA office. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial determination should be reversed. Additional information on submitting an appeal is set forth in the NASA FOIA regulations at 14 C.F.R. § 1206.700.

For further assistance and to discuss any aspect of this matter you may contact NASA's Chief FOIA Public Liaison at:

Stephanie Fox
Chief FOIA Public Liaison
Freedom of Information Act Office
NASA Headquarters
300 E Street, S.W., 5P32
Washington D.C. 20546
Phone: 202-358-1553
Email: Stephanie.K.Fox@nasa.gov

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services it offers. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Important: Please note that contacting any agency official including the undersigned, NASA's Chief FOIA Public Liaison, and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90 day appeal clock. If you have any questions about this matter please contact me at the above email address or (202) 358-1030.

Sincerely,



Robert Young
FOIA Officer
Headquarters, Office of Communications